

PRIMARY WILL DECIDE TO-DAY

Dull Campaign Winds
Up With Very Warm
Words.

MR. BLAIR AGAIN ATTACKSSAUNDERS

Says He Would Have Cut His
Arm Off Before He Would
Have Sought His Sup-
port—More State-
ments Given
Out.

Points for the Voters.

Polls open at all precincts at 8
A. M. and close at 7 P. M.
Each voter must vote for five can-
didates for the House and five for
the Senate—no more and no less.
No scratching is necessary for
members of the City Democratic
Committee, as none of the candi-
dates have opposition.
Transfers can be secured to-day
by voters who have recently changed
their residences.
Electrons will be received at Sun-
ger Hill, beginning at 8:30 o'clock
to-night.

Beyond a warm parting shot fired
by former Alderman A. Beirne Blair
at City Committee member Clyde W. Sau-
nders before the final campaign meet-
ing at Fairmount last night, the most
interesting feature was the discussion
of alleged "slates" by candidates and
denials of any part in making them.
Mr. Saunders gave out another state-
ment yesterday, sharply replying to
Mr. Blair's Fulton speech, and ap-
pealing letters from Messrs. J. B.
Wood, H. R. Pollard, Jr., George C.
Ruskell and Robert Whittet, Jr., de-
claring that they had attended a con-
ference at Mr. Blair's office in the in-
terest of Mr. Wood's candidacy for
Treasurer, at which Mr. Saunders was
present.

This statement will be found else-
where, and is in answer to Mr. Blair's
assertion that he had refused in that
night to allow Mr. Saunders to come
to his office.

Given Out Statement.
Previous to the meeting Mr. Blair
gave out this statement on the sub-
ject:

"To the Public:
"In regard to the statements
concerning the meetings held at
my office in the interest of Mr.
Wood, I desire to state that three
meetings took place. I was at two
of these meetings, and Clyde W.
Saunders was not there while I
was at these two meetings, which
were held at night. I loaned my
office one afternoon to Mr. Wood,
and at this meeting I have to-
day for the first time learned that
Saunders was present. I, though,
was not there, and it was in re-
ference to this afternoon meeting
that the statements of Messrs.
Pollard, Whittet and others refer.
"Very respectfully,
"A. B. BLAIR."

Small Crowd Out.
The Fairmount crowd was small but
attentive. Former Mayor B. Gall-
agher presided, and Captain Morgan R.
Mills, chairman of the Committee on
the Distribution of Funds in the An-
nexed Territory, was the first speaker.
He spoke of the improvements shortly
to be made in the annexed territory,
and had nothing to say concerning
the legislative race.

Senator Harman spoke briefly, dis-
cussing his long public record, and
declared that he was not "slated."
He had heard of them, but had
nothing to do with their making.
He wished to get on everybody's
"slate" to-day, and desired the votes
of all his fellow-citizens. Mr. Polkes
read an unsolicited letter of earnest
commendation from the late chairman
of the House Finance Committee, Hon.
William H. Boaz, under whom, in the
latter's lifetime, he served for many
years.

Mr. John B. Minor spoke briefly, and
declared that he was on "slate,"
and his knowledge, and asked the
voters to choose their tickets with
reference to the merits of the aspir-
ants.

Blair Is Fierce.
Then came Mr. Blair, and he opened
up fiercely on Mr. Saunders. He re-
ferred to him again as "one Clyde W.
Saunders," and said he had a letter
from Mr. W. T. Reid which put quite
a different light on the latter's al-
legation of Saunders' support for
himself.

"Read the letter, Mr. Blair," yelled
a voice from the audience.
"I haven't," Blair replied, "but I
will show it to any gentle-
man who will come to my office."
The speaker then read the following
letter from Alderman James B. Wood:
"As a friend of both Mr. Blair and
Mr. Saunders, I would be glad to see
Mr. Saunders and request him to support
Mr. Blair, but Mr. Blair emphati-
cally declined to have me do so."

"June 27, 1907."
"I say to you," Mr. Blair went on,
"I not only would not have Saunders'
support, but if I had to be elected by
such men I had rather stay at home."
Cut Off His Arm First.
Mr. Blair said Senator Harman was
an honorable man, but that he was
simply mistaken when he said he had
solicited Saunders' support in his
presence.
"How could I have sought the sup-
port of a man whose schemes I have
been fighting all my political life?" the
speaker asked with uplifted hands.
"God knows I never did it," he con-
tinued, "and before I would have done
such a thing I would have to see
throat. Thank God, things are not
new like they were ten years ago and
less, when your franchisees were sold
and when men were bought like so
many cattle. I did my best to down
a corrupt political ring in this city,
which was milking the people of their
money."

PENNSYLVANIA SHELVES NAME OF W. J. BRYAN

Democrats Refuse to Indorse
Him for Nomination
in 1908.

HARRISBURG, PA., June 27.—John
G. Harman, of Columbia county, was
nominated for State Treasurer by to-
day's Democratic State Convention on a
platform confined to State issues. Har-
man is a former member of the Legis-
lature. A resolution indorsing William
Jennings Bryan for the presidency was
shelved. State Treasurer William Hem-
brey, who claims the credit for having
uncovered the capitol scandal, was
chairman of the convention, and made
a speech advocating the elect of a
Democratic Treasurer as a check on
the Republican State officials.
At the meeting of the resolutions
committee S. M. Selbert, of Potter
county, took exception to the silence of
the platform submitted on national mat-
ters. Mr. Selbert said he could see no
reason why a Democratic party should
be afraid to indorse William J. Bryan.
There were cries for a vote on the
platform, but Mr. Selbert stood his
ground and offered the following reso-
lution:

"We are heartily in accord with the
beliefs and positions taken by our
peerless leader and statesman, William
Jennings Bryan, the Jefferson and
Jackson of the Democratic party to-
day, and indorse his candidacy for
the Democratic nomination for Presi-
dent in 1908."
The resolution was laid on the table.

FINDS WIFE SHOT THROUGH HEART

Mrs. Vandiggelin, Clad Only in
Nightdress, Was Lying in
Yard.

GREEN BAY, VA., June 27.—Mrs.
Nellie Vandiggelin, wife of Mr. Webb
Vandiggelin, a large land-owner and
farmer, near here, was found dead by
her husband this morning about 5
o'clock. She had been shot through
the heart with a No. 22 rifle.
Mr. Vandiggelin upon awakening
this morning, finding his wife missing
from the bed and the doors unlocked,
got up and went out to look for her,
finding her lifeless body at the corner
of her hen-house. The rifle, which
was their own, was only a few feet
from the body, and the impression of
some one that she suddenly became in-
sane and determined to end her life,
as she had been in bad health for
some time. Her husband thinks, how-
ever, that the killing was purely ac-
cidental, as he says there were some
snakes near the hen-house yesterday,
and he thinks she took the rifle out
to kill them, and accidentally killed
herself. But she was in her bare feet
and night-gown, and at the early
hour she went out suicide was prob-
ably intended. Her husband does not
know what time she left the house,
and no shots were heard. Mr. and
Mrs. Vandiggelin have only lived here
a few years, moving here from Min-
nesota.

FIVE HUNDRED BURN TO DEATH

Chinese Perish in Theatre Fire
Along With Ten
Actors.

VICTORIA, B. C., June 27.—A hor-
rible holocaust is reported in mail ad-
vices from Hong Kong, where 500
Chinese of the audience of a Chinese
theatre and ten of the actors were
burned to death when the native the-
atre was destroyed by fire. The flames
spread from the building, collapsed,
blocking the entrance with burning
debris. The origin of the fire is said
to have been due to the lighting of
explosives concealed under the floors
of the theatre, the fire following the
explosion.

NEGRO ATTACKS SOUTHERN TRIO

Vardaman, Tillman and Tom
Dixon Assailed by
Council.

BALTIMORE, MD., June 27.—The
second day's session of the annual meet-
ing of the Afro-American Council was
held to-day, and again the various
speakers indulged in attacks, more or
less violent, upon President Roosevelt,
the Secretary of War and others. Sen-
ator Tillman, Governor Vardaman and
Rev. Thomas Dixon were severely as-
sailed. It was proposed to attempt
to raise a fund of \$1,000,000 with which
to fight for the rights of the colored
people, and some of the speakers ad-
vised organizing the negro vote in the
disfranchisement districts, and
forcing the colored people to vote
side with them in their fight against
lynch and Jim Crow laws.

HARDWICK AND TAYLOR REMAIN

Southern Denies Report of Pas-
senger Department
Change.

WASHINGTON, D. C., June 27.—Vice-
President J. N. Culp, of the Southern
Railway Company, stated to-day, in
answer to inquiry, that there is no
foundation for the published rumor
that there would be a change in the
office of passenger traffic manager and
general passenger agent of that
company, on July 1st. He announced
that no change in either of these of-
fices is contemplated.
S. H. Hardwick is passenger traf-
fic manager and W. H. Taylor, gen-
eral passenger agent.

ENGINEER KILLED IN PENNSYLVANIA WRECK.

PHILADELPHIA, June 27.—In a col-
lision on the Pennsylvania Railroad,
near Cynwyd, a suburban station, be-
tween a Potomac accommodation and
a freight locomotive, the engineer,
Oliver Renert, of the passenger, was
killed and several passengers were
injured. Engineer Renert was buried
under his engine.

ARRESTS HARRIMAN AT BOAT RACE

Taken Prisoner by Roose-
velt's Aide for Enter-
ing the Lines.

DID NOT SEE HOW YALE WON

Magnate Held as Ordinary Cul-
prit on the Gresham Until Re-
leased After the Event.
Defied Order Not to
Follow Boats
Down River.

NEW LONDON, CONN., June 27.—
The Yale-Harvard boat race on the
Thames River to-day was accompanied
by one disagreeable incident. This was
the arrest of E. H. Harriman, the rail-
road magnate, by Lieutenant Com-
mander Rocco C. Bulmer, Presi-
dent Roosevelt's naval aide. Lieu-
tenant Bulmer, who was in charge of
the revenue cutters, had warned every
boat owner not to follow the race.
The big varsity struggle had scarcely
been started when Mr. Harriman, in a
powerful motor-boat, started to follow
the race. Lieutenant Bulmer and
Chairman Schweppes, who were aboard
the regatta committee boat, "the Arrow,"
repeatedly warned Mr. Harriman to
stop his engine and get out of the
course. Mr. Harriman not only paid no
attention to them, but took a position
alongside of the referee's boat and
held it. Off the navy-yard, Lieu-
tenant Bulmer signaled for a launch and
toted the revenue cutter whistle,
which finally caused Mr. Harriman to
look around.

Found It Was Harriman.
"You are under arrest, sir," shouted
Lieutenant Bulmer. "You will give
yourself up to this man, who will take
you aboard the Gresham to await my
orders."
Then it was discovered that the man
in the powerful and speedy motor-boat
was Mr. Harriman. Chairman Schweppes,
of the regatta committee, was angry,
and he shouted to Mr. Harriman in
terms which the latter could not mis-
take. The millionaire leveled his fore-
finger at Chairman Schweppes and
yelled back:
"Young man, I will see you later."

A Prisoner During Race.
Schweppes' friends aboard the Arrow
gave Mr. Harriman a gentle laugh.
Mr. Harriman saw no more of the race,
but was detained as an ordinary pris-
oner aboard the Gresham until after
the race was over, when Lieutenant
Bulmer went aboard the Gresham and
released Mr. Harriman, but ordered his
boat tied up at the navy-yard. The
incident which cost Mr. Harriman a fine
of \$500. This was the penalty imposed
on a yacht owner at last year's race
for transgressing the rules governing
the course.

MOONSHINERS ROW CUT UP THE STILLS

Give Informant Ten Days to
Leave, After Getting
Vengeance.

[Special to The Times-Dispatch.]
WINSTON-SALEM, N. C., June 27.—
The latest report from Smithtown,
Stokes county, where the revenue cut-
ters made a raid last in the early
month, is that the moonshiners have had
a falling out, and that some of the block-
aders took the law in their own hands
and cut up the illicit distilleries in
the same section the revenue visited.
It is said that the moonshiners in op-
position to the law, which they consider
the illicit liquor business has there
been a similar case. It is related
that when the officers made the raid
they captured a youth about sixteen
years of age, in whom the revenue
agent seemed interested. The agent
offered him his liberty if he would
locate some stills for the officers, which
the boy did, and was promptly re-
leased.

This boy was the son of Joe Batman,
who had a few years ago moved into
the settlement from Patrick county,
Va., and who at that time was oper-
ating a blockade distillery, which the
officers failed to locate. Besides this
boy there were two others released in
the same way, and their distilleries
were not destroyed, owing to the fact
that they led the officers in opposite
direction from their own places of
business.
It was these facts that led these
blockaders whose stills have been de-
stroyed to play the role of the revenue
officers and cut up the stills.
The other day a posse of Smithtown
blockaders started out by cutting up
the still of Joe Batman and giving the
boy ten days to leave the community.
Once they got their hand in, they
seemed to like the business, and pro-
ceeded to cut up two more stills located
in Smithtown.

THREE HANGED FOR MURDER

They-Killed Guard While Try-
ing to Escape from
Prison.

JEFFERSON CITY, MO., June 27.—
Harry Vaughan and Edward Raymond,
convicts sentenced to the penitentiary
from St. Louis, and George Egan, a
convict sentenced from Kansas City,
were hanged in the county jail here
this morning for the killing of Prison
Guard John Clay during a concerted
attempted escape from the peniten-
tiary. All three died from strangula-
tion. The physicians in attendance
pronounced Vaughan dead in 16 3/4
minutes after the trap was sprung.
Raymond died in 12 1/2 minutes, and Ray-
mond dead in 11 3/4 minutes. About
250 persons witnessed the execution.

DAUGHTER OF JUDGE LOVING WHO, SAVE JUDGE HIMSELF, IS CENTRAL FIGURE IN TRIAL



MISS ELIZABETH LOVING.
It was her recital of wrongs received on the occasion of a drive with Theodore Estes, which drove her father
to take the latter's life. This picture of Miss Loving, showing her as she now appears, is the first ever printed
in any newspaper, and was obtained by The Times-Dispatch with the consent of the family. The pictures pre-
viously used by The Times-Dispatch were, as explained at the time, enlarged from a group made some time ago.

VIRGINIA CASE NOT REACHED THUS FAR

North Carolina Rate Matter Still
Before the Federal
Court.

COAST LINE HEARING TO-DAY

ASHEVILLE, N. C., June 27.—In the
railroad rate suit of the Southern Rail-
way against the North Carolina Cor-
poration Commission to-day Walker D.
Hines completed his argument in the
Federal Court for the Southern, and
Chief Counsel A. P. Thom also spoke
for the company. Mr. Thom was fol-
lowed by Judge Shepard for the com-
mission. The feature of to-day's pro-
ceedings was an attack by the com-
mission's counsel on Auditor Plant's
affidavit in regard to the cost of doing
business in North Carolina on the
ground that the report showed such
cost to be greatly in excess of the
same officer's report to the commission
before the passage of the reduced rate
law.
The case closed with Judge
Shepard's argument. In a similar suit
to the Southern's, that of the Atlantic
Coast Life stockholders against the
North Carolina Corporation Com-
mission, will begin to-morrow.
Aside from any possible result that
might arise from technicalities argued
in all these cases, it seems to be gen-
erally accepted that the court will
either continue the injunction pend-
ing a final regular judicial determina-
tion of the case, requiring bonds for
the provisional relief of the public—
that is to say, the eventual repair-
ment of the excess charge for passen-
ger and freight service between the
present rates and the acts in question,
or decide that the point of confes-
sation, being in doubt, the laws should
be submitted to actual test and ex-
periment, after which legal recourse
could be had by the plaintiffs.

Counsel for the roads, however, con-
tended that this latter course would
mean irreparable injury to them in
case it was finally shown that the
rates are in fact confiscated because,
to put it simply, it would be impos-
sible for them to collect by lawsuits
some thousands of individual debts of
four cents or so each, whereas in the
event of the defendant's winning the
case, the public is protected by bond
given by the companies.
On the other hand, the defendants
contended that upon sworn figures of the
comptroller of the Southern to the
Corporation Commission, it is clearly
shown that the rates, instead of being
confiscatory, will be fairly remunera-
tive. The railroad contends that oper-
ation for this fiscal year at the new
rates would be at an actual deficit;
that operation last year would have
been at a net profit of 33 1/2 per cent.
Laying Stress on Figures.
The defendants have laid great stress
upon a difference in two reports of the
comptroller of the Southern. The

STATE CHAIRMAN WILL NOT RETIRE

Hon. J. Taylor Ellyson Em-
phatically Denies Rumor in
Circulation.

HAS BEEN AN ABLE LEADER

Hon. J. Taylor Ellyson, of this city,
has no idea of resigning the chairman-
ship of the State Democratic Com-
mittee, notwithstanding the rumors
which have been going the rounds of
the politicians recently to the effect
that he contemplated retiring at an
early date.
In a conversation with a represen-
tative of The Times-Dispatch in Nor-
folk yesterday, the Democratic leader
positively denied the rumor, and said
he would not resign the position.
Says a special from Norfolk on the
subject:
"Lieutenant J. Taylor Ellyson, of
Virginia, is to remain Democratic
State Chairman, an office he has
filled for the past ten years, re-
gardless of reports to the con-
trary."
"I am not discussing politics at
this time, but am devoting all my
attention to the Jamestown Expo-
sition," said the Lieutenant-Govern-
or this afternoon. But you
may emphatically deny," he con-
tinued, "that I will resign the
State chairmanship of the Demo-
cratic party, and you can say it as
coming from me."
Mr. Ellyson knew nothing of
how the report gained currency
that he was to resign.

Flood Mentioned.
The rumor which has been current
for some time is to the effect that in
case of Mr. Ellyson's retirement, the
friends of Congressman Harry D.
Flood, of the Tenth District, would
press his claims for the place.
Mr. Ellyson has been chairman
for many years, and is regarded as one
of the ablest political managers in the
South. He is now Lieutenant-Govern-
or and National Democratic Com-
mittee man for the State of Virginia.
He has demonstrated his splendid
ability as a party leader in many hard-
fought battles, and has never failed to
secure good, safe majorities for his
party in the State. Of course, he has
now and then lost legislative and con-
gressional districts, but these defeats
could not be charged up to the State
chairman.
Mr. Ellyson succeeded the late Basil
B. Gordon, of Rappahannock, as chair-
man about fifteen years ago, and has
been re-elected each time without op-
position. Congressman Flood is re-
garded as a political leader of much
ability, and to him is said to be due
much of the credit for Senator Mar-
tin's victory two years ago for re-
election to the Senate over former
Governor Montague.

CONSPIRACY CHARGE HALTED BY COURT

Haywood's Attempt to Throw It
on State Must Be
Limited.

QUOTED BOYCE'S UTTERANCE

BOISE, IDAHO, June 27.—A ruling
made to-day by Judge Wood while
Edward Boyce, for years the leader of
the Western Federation of Miners, and
now a wealthy mine owner of the
Coeur d'Alene, was testifying in be-
half of William D. Haywood, may limit
materially the showing of the defense
as to the existence of the counter con-
spiracy against Haywood and his asso-
ciates.
James P. Hawley, for the State, ob-
jected to a general question as to the
policy and practice of mine owners
throughout the West in blacklisting
union miners, and in the argument that
followed Clarence Darrow, for the de-
fense, claimed the same latitude in
proving counter conspiracy as that
given the State.
Mr. Hawley contended that the State
had directly shown the existence of a
conspiracy by Harry Orchard, and by
so doing had laid the foundation for
and made the connection of all the
evidence subsequently offered on the
subject.
He said that the defense was trying
to show a counter-conspiracy by pro-
voking various isolated instances and cer-
tain general conditions, none of which
was connected with the case, and for
none of which a proper foundation had
been laid.
In ruling, the court accepted in part
the contention of the prosecution, and
limited the proof of the defense along
this line to events in Colorado and
the Coeur d'Alene connected with the
case as now established.
Ed. Boyce was the principal witness
of the day, and his testimony was
chiefly devoted to the history, pur-
(Continued on Fourth Page.)

BISHOP CAPERS REPORTED WORSE

Serious Change in His Condition
Greatly Alarms His
Friends.

ASHEVILLE, N. C., June 27.—A
special to the Citizen from Cedar Moun-
tain to-night says there is a slight
change for the worse in Bishop Cap-
pers' condition. William A. Guerry,
the bishop's confidant, is on his way to
the sick man's bedside. The report is
alarming to his friends.

PRISONER WINS GREAT VICTORY BEFORE COURT

Decision of Judge to Ex-
clude Collateral Testi-
mony Important.

ACQUIT LOVING OR HUNG JURY

Freely and Almost Unanimously
Predicted by Halifax Citizens
as Verdict in Case—Evi-
dence All In and Argu-
ment Begins
To-Day.

BY ALLEN POTTS.
HOUSTON, VA., June 27.—The most
striking incident of the fourth day of
the Loving murder trial other than
Judge Barksdale's ruling for the de-
fense was the significant utterance of a
witness called to the stand by the
Commonwealth, and one who had tes-
tified against the accused.

Dr. De Jarnette, a distinguished au-
thority on mental diseases and super-
intendent of the Western Hospi-
tal for the Insane, had, in answer to
a hypothetical question put by the
prosecution, said that at the time of
the killing of Theodore Estes, Judge
Loving was not insane, but was over-
come by anger. Mr. Lee, for the de-
fense, asked this question:
"Do you think, then, that it is a
test of sanity for a man to kill under
these circumstances?" meaning under
provocation caused by his daughter's
alleged wrongs.

Then the unexpected happened, for
Dr. De Jarnette replied:
"If I do not think it is a test, but
I think a sane man would very
probably do it."

The answer seemed to indicate that
while the insanity expert did not con-
cur with the defense on the question
of the mental derangement of the
prisoner, he believed that a sane man
would have acted as Judge Loving
did if the provocation had been as
great. The incident caused consider-
able excitement, and evidently strong-
ly impressed the twelve men in the
jury-box.

JEROME WILES LIST OF AUTHORITIES TO BARKSDALE.

A matter which did not become pub-
lic to-day, but which will attract at-
tention when known, is the fact that
William Travers Jerome, district attor-
ney of New York City, and the prose-
cutor in the famous Thaw trial, which
is almost identical with the Loving
case, has seen fit to thrust himself
uninvited into the case now on trial
here.

This morning Judge Barksdale, the
presiding judge, pending an announce-
ment of his opinion to an objection
raised by the defense to the introduc-
tion of collateral testimony by the
defense to down Miss Loving's story
to her father, received a telegram from
Mr. Jerome, citing cases which might
aid the prosecution. The telegram was
as follows:

"New York, June 27, 1907.
"Judge Barksdale,
Houston, Va.:
"Consult note of Wigmore in Sec-
ond Illinois Law Review, page 35,
citing Knapp against State of
Indiana, 73, Northwestern
reported, page 1076. See also Com-
monwealth against Haurigan in
88th Kentucky, page 305.
(Signed)
"W. M. TRAVERS JEROME."

Judge Barksdale did not allude, in
his opinion, to the citations furnis-
hed him by Mr. Jerome, and, in fact,
did not mention them.
The incident indicates how closely
the Loving trial is being watched and
how closely it resembles in many of
its details the Madison Square Garden
tragedy.

IMPROMPTU HALIFAX JULY VOTES TO ACQUIT LOVING.

After the evidence was all in this
afternoon and court had adjourned, a
poll was made of twenty-seven men
regarding the guilt or innocence of the
prisoner at the bar. The poll was
taken among the men who live in
Halifax county, and not among the
friends of the Loving and Estes fami-
lies, and the question asked was: "How
would you vote if you were on the
jury, after hearing the evidence in the
case?" Of the twenty-seven men in-
cluded, twenty-six said they would
acquit Judge Loving, and one said he
did not know how he would vote.
While this indicates the feeling of the
people who have listened to the evi-
dence, it does not mean that a verdict
of "not guilty" will be brought in, for
a gentleman who knows the members
of the jury well said to-night: "There
will certainly be a hung jury."
There is one man in the box who
will certainly disagree, for he would
not concur with the angel "Gabriel
himself." It is remarkable that the
feeling here should be so overwhelm-
ingly in favor of the accused, for Mr.
Bouldin, the Commonwealth Attorney,
is one of the most popular men in the
county, and the people of Halifax take
a great pride in the way he has con-
ducted the case for the State. It may
further be said that here are also a
number of men in town from Nelson
county who are heartily of the opinion
that Judge Loving should be punished,
but these men are of the Estes faction,
as it is called, and possess great sym-
pathy for the family in the loss of
their son.

FATE OF LOVING HUNG ON JUDGE BARKSDALE'S OPINION.

When court opened this morning the
room was packed to hear the opinion
of Judge Barksdale regarding the ad-
mission of evidence to discredit the
story of the defense.